

Remarks/Arguments

Claims 1-41 remain in the application.

Claims 2-21 have been cancelled.

Claims 40-41 have been withdrawn.

New claims 42-47 have been included based on the allowable subject matter indicated by the Examiner.

In the Office Action dated March 10, 2004, the Oath/Declaration, Drawings and Specifications were objected to by the Examiner. The Examiner cited to MPEP 602.01 and 602.02. Specifically, the Examiner indicated that the declarations filed on November 8, 2001 and May 6, 2002 were defective as they did not accurately identify the application by number and filing date. The Examiner took exception to the language in the declaration which indicated that the specification was "attached hereto".

Applicants note that The Declaration of Power of Attorney for Patent Application form filed with this case on September 10, 2001 includes a block at the top of the first page which clearly identifies the Application Serial Number (09/786,305) and Filing Date (June 16, 1999). The form continues for four pages to include the declaration of the ten inventors. Furthermore, such Declaration and Power of Attorney tracks the recommended and approved Declaration shown in MPEP § 602 on Form PTO/SB/01(03-01), which includes the language objected to by the Examiner that the specification is "attached hereto". Accordingly, Applicant respectfully notes that 37 CFR 1.63 requires that the oath or declaration identify the specification to which it is directed by including the names of the inventors, title of the invention, application number, filing date and foreign priority application information. All

such information is included and recited in the Declaration and Power of Attorney filed herein. It is respectfully requested that the objection to the Declarations be withdrawn in view of the remarks herein.

In addition, Applicant notes for the record that a series of petitions were filed on August 5, 2002, January 29, 2003 and July 3, 2003 addressing the circumstances regarding two inventors for which signatures could not be provided. Such petitions have been granted by the USPTO. See, e.g., Decision on Applicant's Petition Under 37 CFR 1.181 dated December 4, 2003.

Turning to the objections of the Drawings as indicated by the Examiner;

- The original Specification included 24 sheets of drawings; the corrected version filed with the PCT and upon which this examination was made included 23 sheets of drawings.
- In amended FIGS. 31 and 32 (replacement sheets 20 and 22), reference numerals 415, 432 and 444 have been removed.
- In amended FIG. 31 (replacement sheet 20), reference numeral 450 has been removed.
- In amended FIGS. 33 and 34 (replacements sheets 22 and 21 respectively), reference numerals 415' and 432' have been removed.

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- In amended FIG. 33 (replacement sheet 21), reference numeral 450' has been removed.
- FIG. 15 appears on both original sheets 11 and 12. Please delete sheet 12.
- In amended FIG. 24 (replacement sheet 16), reference numeral 220' has been changed to 220".
- In FIG. 26 (original sheet 17) circle A does not appear. Replacement sheet 17 has been amended to show circle A.
- In amended FIG. 29 (replacement sheet 18), reference numerals 324' and 336' have been changed to 324 and 336 respectively.

Regarding item 4 under Drawings on page 2 of the Office Action dated March 10, 2004, claims 40 and 41 are hereby cancelled.

Regarding the Examiner's objections to the Specification, the corrections of minor editorial problems listed in the Office Action dated March 10, 2004 have been included in the replacement paragraphs which may be found in the "Amendments to the Specification" portion of this paper.

Turning to the objection to the claims by the Examiner in the Office Action dated March 10, 2004, the objection cited in item 9, Claim Objections, has been corrected in claims 1, 23, 25 and 27 as amended herein.

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Regarding the 35 USC 112, first paragraph, rejection, claims 40 and 41 have been withdrawn.

Regarding item 11 of the Office Action, claims 3, 4, 5 have been cancelled.

Claim 23 has been amended to change “structural” to tubular at line 2.

Claim 29 has been amended to recite “the” rather than “a” tubular channel (referring back to amended claim 1).

Claim 36 has been amended to recite at line 5 “a mid portion disposed between the first and second ends, the mid portion having an outer surface thereof covered with a portion of the first material...”.

Claim 1 has been amended to provide antecedent basis for “an air canister opening”.

Support for the changes may be found at page 30, line 26 to page 31, line 7.

The Examiner has further indicated that Claims 11, 14, 18, 19 and 28 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and that claims 12, 13 and 29 would be allowable if rewritten to overcome the rejection of 35 USC 112, second paragraph as set forth in the Office Action dated March 10, 2004.

New independent claims 42, 45 and 46 directed at the subject matter of claims 11, 14, and 18 respectively are included herein. Original claim 12 was dependent on original claim 11 (which is now included in new claim 42) and is renumbered as new claim 43. Likewise, original claim 13 was dependent on original claim 12 (which is now new claim 43) and has been renumbered as new claim 44. Additionally, original claim 19 (which is now new claim 47) was dependent on original claim 18 (which is now included in new claim 46).

Accordingly, no new matter is believed to have been entered. Therefore, it is believed that claims 42-47 are in condition for allowance.

Regarding the rejections under 35 USC 102, the Examiner has indicated that claims 1-10, 15, 30-33, 35 and 38 are anticipated by Masutoshi, et al. (JP 05-185896). Masutoshi, et al. does not teach or suggest “**a reaction plate including a pivotable panel portion separate from the air bag door; configured to pivot outward under the force of air bag inflation**” as recited in amended claim 1. Support for this change may be found at page 12, lines 6-11. Further, Masutoshi, et al. does not teach or suggest the use of “**a tubular channel disposed along a portion of the air bag door perimeter**” as now recited in amended claim 1 herein.

Regarding the 35 USC 103(a) rejections, the Examiner has indicated that claims 16 and 17 were rejected as being unpatentable over Masutoshi, et al. Claims 16 and 17 have been cancelled.

Claims 20 and 26 were rejected over Masutoshi, et al. in view of DeSalvo, et al. (United States Patent 4,893,833) and Gallagher, et al. (United States Patent No. 5,564,731). Claim 20 has been cancelled and claim 26 now depends on amended claim 1 which requires as pointed out above, **“a reaction plate including a pivotable panel portion separate from the air bag door, and a tubular channel disposed along a portion of the air bag perimeter.”** Neither of these elements is anticipated in the cited references.

Claims 21-25 and 27 were rejected under 35 USC 103(a) as being unpatentable over Masutoshi, et al. in view of Yamamoto, et al. (JP 6-227351) and Inoac (JP 7-246900). Yamamoto, et al. is directed at an air bag cover and not at an **assembly including a door integrally formed in a vehicle panel, an air bag canister, and a reaction plate having a**

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pivotal portion separate from the door. Similarly, Inoac (JP 7-246900) is directed at a door 11 separately molded from a panel 40 and does not include a reaction plate. Both references therefore alone, or in combination, fail to disclose or suggest limitations of amended claim 1.

With regard to the Examiner's comment on page 9 of the Office Action dated March 10, 2004 that "with respect to claim 25, the Examiner takes Official Notice that exterior styling lines are well-known in the art", attention is directed to Figure 21 in combination with page 29, lines 2-8 which recite "The elongated groove 250 further reduces the thickness of the plastic material where concealment of the presence of an air bag door for an inflatable restraint system is not a concern." As disclosed in the application, a layer of foam and/or skin may cover the retainer. Further, groove 250 is much more than a "styling line", but rather a reduced cross-section forming a frangible marginal edge for directing the forces of air bag deployment.

Claims 34, 36 and 37 were rejected under 35 USC 103(a) as being unpatentable over Masutoshi, et al. in view of Ito, et al. (United States Patent No. 5,395,668). Ito, et al. alone or in combination with Masutoshi, et al. does not teach or suggest the use of a reaction plate or a tubular channel.

Regarding claim 39, the Examiner has indicated that it stands rejected as being unpatentable over Masutoshi, et al. in view of Nippon Plast Co. (JP 9-240404). The Nippon Plast Co. reference is directed at an air bag formed by knitting together the peripheral edge parts of two sheets of circular base cloth so as to be dish-like in a widened state and flat-ball-like in an expanded shape, folded in a swirl shape excluding its bottom surface and front surface portions positioned in the center and a winding part is formed. The reference does not

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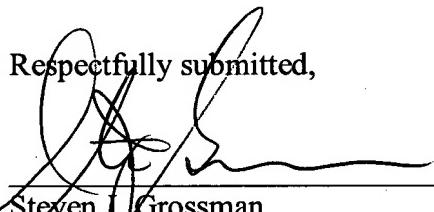
teach or suggest an air bag canister opening having the same general arcuate shape as the air bag door. Rather the reference shows only a partial arcuate tear seam.

In consideration of the amendments to the claims and the remarks hereinabove, Applicant respectfully submits that all claims currently pending in the application are believed to be in condition for examination. Allowance at an early date is respectfully solicited.

In the event the Examiner deems personal contact is necessary, please contact the undersigned attorney at (603) 668-6560.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 50-2121.

Respectfully submitted,


Steven J. Grossman
Attorney for Applicants
Reg. No. 35,001
Customer No. 32047
Grossman, Tucker, Perreault & Pfleger, PLLC
55 South Commercial Street
Manchester, New Hampshire 03101
Tel.: (603) 668-6560
Fax: (603) 668-2970

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service First Class Mail in an envelope addressed to: Mail Stop Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 4, 2004, 2004, at Manchester, New Hampshire.

By Carol McClelland
Carol McClelland